

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DIMITRITZA TOROMANOVA

Plaintiff,

v.

WELLS FARGO BANK, N.A.; et al.,

Defendants.

2:12-cv-1637-LRH-CWH

ORDER

Before the court is defendant Wells Fargo Bank, N.A.'s ("Wells Fargo") motion to expunge lis pendens. Doc. #64.<sup>1</sup> Plaintiff Dimitritza Toromanova ("Toromanova") did not file an opposition.

Plaintiff Toromanova filed a complaint in state court against defendants for wrongful foreclosure. *See* Doc. #1, Exhibit A.<sup>2</sup> Wells Fargo removed the action to federal court on the basis of diversity jurisdiction. Doc. #1. Eventually, Wells Fargo filed a motion to dismiss (Doc. #10) which was granted by the court (Doc. #35). Thereafter, Wells Fargo filed the present motion to expunge lis pendens. Doc. #64.

<sup>1</sup> Refers to the court's docket entry number.

<sup>2</sup> The court notes that this is the third action related to the underlying property filed by Toromanova against Wells Fargo. Plaintiff Toromanova has filed the following actions in Federal court against defendant Wells Fargo related to the subject property which have all been dismissed: (1) *Toromanova v. World Savings Bank, FSB; et al*, 2:10-cv-2193-PMP-GWF; and (2) *Toromanova v. Wells Fargo Bank, N.A.; et al*, 2:12-cv-0328-GMN-CWH.

1 The failure of an opposing party to file points and authorities in response to any motion  
2 shall constitute a consent to the granting of the motion under LR 7-2(d). Moreover, the court finds  
3 that defendant's motion to expunge lis pendens is warranted based on the court's order of  
4 dismissal. Doc. #35. Accordingly, the court shall grant Wells Fargo's motion to expunge lis  
5 pendens.

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7 IT IS THEREFORE ORDERED that defendant's motion to expunge lis pendens (Doc. #64)  
8 is GRANTED. Defendant Wells Fargo Bank, N.A. shall have ten (10) days to submit an  
9 appropriate proposed order expunging the lis pendens and submit the same for approval and  
10 signature.

11 IT IS SO ORDERED.

12 DATED this 21st day of March, 2013.

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15 LARRY R. HICKS  
16 UNITED STATES DISTRICT JUDGE  
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